

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FIRST FRANKLIN FINANCIAL CORPORATION,

Plaintiff,

-against-

ORDER
CV 07-3380 (ADS)(ARL)

RELIABLE CAPITAL CORPORATION,
MONIQUE M. JOHNSON and REGINALD
JOHNSON,

Defendants.

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LINDSAY, Magistrate Judge:

The court is in receipt of a letter from the defendant Monique Johnson dated December 30, 2008. The letter purports to be a narrative statement submitted on behalf of the defendant Reliable Capital Corporation ("Reliable"). Ms. Johnson states that she is representing Reliable, but the court cannot accept the letter. Reliable cannot be represented by a lay person and must retain counsel or risk a default judgment being entered against it. *See Eagle Assocs. v. Bank of Montreal*, 926 F.2d 1305 (2d Cir. 1991) (holding that 28 U.S.C. § 1654 precludes a corporation from appearing through a lay representative). Accordingly, the court returns the letter to Ms. Johnson. On or before, February 12, 2009, Reliable shall advise the court, in writing, whether it has retained counsel.

Dated: Central Islip, New York
January 12, 2009

SO ORDERED:

_____/s/_____
ARLENE R. LINDSAY
United States Magistrate Judge